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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,045	12/21/2000	Sung-Kon Kim	3430-0154P	5517

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EXAMINER

DUONG, THOI V

ART UNIT PAPER NUMBER

2871

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,045

Applicant(s)

KIM, SUNG-KON

Examiner

Thoi V Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on 19 May 2003.

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-10 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some \* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

### DETAILED ACTION

1. This office action is in response to the Appeal Brief, Paper No. 11, filed May 19, 2003.

Accordingly, claims 1-10 are on the appeal and pending in this application.

2. Applicant's arguments with respect to the rejection of claims 1-10 under 35 U.S.C. & 103 have been fully considered and are persuasive. Therefore, the final rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of USPN 6,219,117 B1 of Nagakubo et al. and USPN 5,886,759 of Mashino et al..

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-5, 7, 9 and 10 rejected under 35 U.S.C. 102(e) as being anticipated by Nagakubo et al. (USPN 6,219,117 B1).

As shown in Figs. 1 and 3, Nagakubo et al. discloses a liquid crystal display device, comprising:

a liquid crystal panel including two substrates with a liquid crystal layer interposed therebetween;

a back light device including:

- a) at least one lamp 8;
- b) a light guide plate 5 for guiding light emitting from the lamp;
- c) a diffusing sheet 4 for diffusing light emitting from the light guide plate;
- d) at least one prism sheet 3 located on the diffusing sheet, concentrating light (col. 6, lines 30-34);
- e) a protecting sheet 2 located on the prism sheet;
- f) a reflector 6 located under the light guide plate, reflecting light directing downward the light guide plate,

wherein an edge portion of the diffusing sheet adjacent to the lamp includes a printing portion 4a made of colorless ink (white material) containing a light scattering agent (col. 7, lines 22-47);

wherein the light guide plate has a plurality of patterns 5b (col. 6, lines 42-44);

wherein there are two lamps (col. 14, lines 9-15); and

wherein light reflected from a bottom surface of the device causes constructive interference with light emitting from the lamp, whereby a bright line is prevented (col. 14, lines 16-41).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagakubo et al. (USPN 6,219,117 B1) as applied to claims 1-5, 7, 9 and 10 in view of Mashino et al. (USPN 5,886,759).

Nagakubo et al. discloses a liquid crystal display device that is basically the same as that recited in claims 6 and 8 except for the light guide plate having a plurality of dot patterns. As shown in Fig. 1A, Mashino et al. discloses a back light device comprising a light guide plate 37 having a pattern of a plurality of light diffusion dots 67 on the underside of the light guide plate for transmitting light introduced into the light guide plate and subjected to total reflection (col. 4, lines 34-38). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the liquid crystal display of Nagakubo et al. with the teaching of Mashino et al. by forming a light guide plate having a plurality of dot patterns for effectively transmitting light introduced into the light guide.

**Conclusion**


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (703) 308-3171. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (703) 305-3492.

Thoi Duong



07/16/2003



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